



1645

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Sunil Kumar VERMA, et al
Serial No.: 09/821,782 Group No.: 1645
Filed: March 29, 2001 Examiner.: Suryaprabha Chunduru
For: UNIVERSAL PRIMERS FOR WILDLIFE IDENTIFICATION

Attorney Docket No.: U 013365-9

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION ACTION

In response to the Official Action dated September 30, 2004, wherein the
Examiner has required an election of claims, Applicants hereby elects, with traverse,

CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is **mandatory**;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. 1.8(a)

37 C.F.R. 1.10*

- ☒ with sufficient postage as first class mail.

- ☐ as "Express Mail Post Office to Address"
Mailing Label No. _____ (mandatory)

TRANSMISSION

- ☐ transmitted by facsimile to the Patent and Trademark Office.

Date: October 29, 2004

Signature

CLIFFORD J. MASS

(type or print name of person certifying)

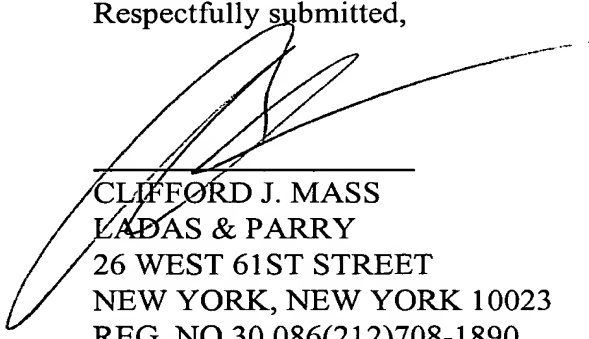
***WARNING:** Each paper or fee filed by "Express Mail" **must** have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).
"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

to prosecute in the present application the claims of Group I, i.e. claims 1 - 5. The election is made without prejudice to Applicant's right to file a divisional application directed to the non-elected claim.

The requirement is respectfully traversed insofar as the Examiner has not met the USPTO burden of providing an example of a materially different process with which the claimed product can be used. The Examiner has referred only generally to cloning assays, gene therapy and transfection assays, but has not referred to any specific process steps that would enable Applicants to determine whether a proposed alternative process is materially different from the process claimed.

Applicant has complied with the sole requirement in the Official Action and now respectfully requests an action on the merits of at least the elected claims.

Respectfully submitted,



CLIFFORD J. MASS
LADAS & PARRY
26 WEST 61ST STREET
NEW YORK, NEW YORK 10023
REG. NO.30,086(212)708-1890